IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 16307 of 2004

Between:

S.Gopikrishna, s/o late S.Sambasiva Rao, aged 19 years,
r/o Gadda Manugel Village, G.Konduru Mandal, Krishna District.

..... PETITIONER

AND

1 Andhra Pradesh State Road Transport Corporation,

represented by its Vice-Chairman & Managing Director,
Mushirabad, Hyderabad.

2 The Depot Manager, Andhra Pradesh State Road Transport Corporation,
Governerpet-II Depot, Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondents in rejecting the claim for employment under Bread Winner Scheme by proceedings dated 27-12-2003 is illegal, arbitrary and unjust; and consequently direct the respondents to provide employment to the petitioner under Bread Winner Scheme in the post of Shramik or any other suitable post.

Counsel for the Petitioner: MR.G.VIDYASAGAR

Counsel for the Respondent No.: MR.R.MANMADHA REDDY

The Court at the admission stage made the following:

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ORDER:

The petitioner claims that he is the son of a deceased employee of the respondents Corporation. His father S.Sambasivarao died in harness on 17.08.2001 while in employment. The petitioner contends that his mother made a representation to the respondents Corporation on 12.12.2003, requesting the Corporation to provide employment to the petitioner.

2. The grievance of the petitioner is that the respondents Corporation, instead of providing employment, sent a letter dated 27.12.2003, mentioning that the organization is running in losses and no vacancies are available, hence at this juncture, there is no possibility to provide employment, but there is possibility to pay some amount instead of providing job. The petitioner, being aggrieved by the said letter dated 27.12.2003, approached this Court, through this writ petition, seeking a direction to the respondents to consider the request of the petitioner for compassionate appointment under the Bread Winner Scheme by virtue of a circular of the respondents corporation No.PD-30/2000, dated 05.05.2000 and to pass appropriate orders on the application of the petitioner for compassionate appointment.

3. In the light of the circumstances explained by the petitioner, the respondents are directed to pass appropriate orders on the representation of the petitioner for compassionate appointment, by keeping in view of the circular No.PD-30/2000, dated 05.05.2000 of the respondents Corporation. The respondents may consider the request of the petitioner for compassionate appointment in future vacancies also.

4. The Writ Petition is, accordingly, disposed of.

dsr/cs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Vice Chairman & Managing Director,

Andhra Pradesh State Road Transport Corporation,

Mushirabad, Hyderabad

2. The Depot Manager,

Andhra Pradesh State Road Transport Corporation,

Governerpet-II Depot, Vijayawada.

3. Two CD copies.